

Order

Michigan Supreme Court
Lansing, Michigan

October 25, 2013

Robert P. Young, Jr.,
Chief Justice

146861

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 146861
COA: 303950
Wayne CC: 10-008185-FC

ANTHONY DEVONTE RATCLIFF,
Defendant-Appellant.

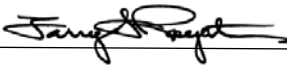
On order of the Court, the application for leave to appeal the March 5, 2013 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE that part of the Court of Appeals judgment holding that the defendant's argument that his conviction was against the great weight of the evidence was unreserved. Because this was a bench trial, the defendant was not required to file a motion to remand to preserve this issue. MCR 7.211(C)(1)(c). Relief is not warranted, however, because the evidence was not so heavily opposed to the verdict that the verdict can be said to be a miscarriage of justice. *People v Lemmon*, 456 Mich 625, 627 (1998). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



h1022

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 25, 2013


Clerk